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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,369	11/15/2001	Garry L. Davis	10420/3169	4700

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07/02/2003

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Chicago, IL 60610

EXAMINER

NGUYEN, PHUNG

ART UNIT

PAPER NUMBER

2632

DATE MAILED: 07/02/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/003,369

Applicant(s)

DAVIS ET AL.

Examiner

Phung T Nguyen

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Tuttle (U.S. Pat. 6,127,917).

**Regarding claim 1:** Tuttle discloses a system and method for locating individuals and equipment, airline reservation system, communication system comprising making a reservation for the passenger; recording information; retrieving information concerning the reservation for passenger check-in (col. 16, lines 1-14, and col. 18, lines 5-9); automatically detecting arrival of the passenger via the RF identification card; comparing the passenger with reservation information (col. 16, lines 38-62); and automatically checking in the passenger, wherein the radio-frequency identification card uniquely identifies the passenger (figure 2, col. 16, lines 15-17).

**Regarding claim 2:** Tuttle discloses checking baggage and linking information relating to the baggage with the information concerning the reservation (col. 16, lines 18-20).

**Regarding claim 3:** Tuttle discloses printing a confirmation of the check-in, wherein information printed is selected from the group consisting of passenger name, destination, ticket number, one or more identification number, trip number, gate, seat assignment, and class of service (col. 1, lines 48-53).

**Regarding claim 4:** Tuttle discloses walking through or near a radio-frequency detector (col. 16, lines 27-29).

**Regarding claim 5:** Tuttle discloses signaling that the passenger has automatically checked in (col. 16, lines 27-37, and col. 17, lines 37-41).

**Regarding claim 6:** Tuttle discloses the reservation is selected from the group consisting of an aircraft flight, a ship cruise, a railway journey, and a locomotive trip (col. 16, lines 1-6).

**Regarding claim 7:** Tuttle discloses the trip number is selected from the group consisting of a flight number, a train number, a cruise number, and a locomotive trip (col. 16, lines 18-27).

**Regarding claim 8:** Tuttle discloses a radio frequency detector detects an RF identification card (col. 16, lines 18-27).

**Regarding claim 9:** Tuttle discloses matching the passenger with baggage of the passenger and detecting whether a passenger with baggage has checked in (col. 16, lines 1-6).

**Regarding claim 10:** All the claimed subject matter is already discussed in respect to claim 1 above, Tuttle also discloses signaling that the passenger has automatically checked in (col. 16, lines 27-37, and col. 17, lines 37-41).

**Regarding claim 11:** Tuttle discloses the step of signaling is selected from the group consisting of emitting a sound, opening a gate, flashing a light, printing a pass, and displaying a message (col. 17, lines 37-41).

**Regarding claim 12:** Tuttle discloses checking baggage of the passenger, and linking information relating to the baggage with the information concerning the reservation (col. 17, lines 42-57).

**Regarding claim 13:** Tuttle discloses a radio-frequency enabled identification card for a passenger; a detector; processing means in communication with the detector (col. 16, lines 15-20); a passenger list (col. 18, lines 5-16); and a first passage controlled by the processing means, wherein the processing allows passage of the passenger holding the radio-frequency identification card and the processing means matches the passenger with a person on the passenger list (col. 16, lines 15-48).

**Regarding claim 14:** Tuttle discloses comparing an identifier of the passenger to the passenger list, and allowing passage if the passenger is on the passenger list (col. 16, lines 56-62).

**Regarding claim 15:** Tuttle discloses the detector is a long-range reader of radio frequency identification cards (col. 16, lines 27-29).

**Regarding claim 16:** Tuttle discloses detecting a return signal in accordance with an identity of the owner of the identification card (col. 16, lines 18-27).

**Regarding claim 17:** Tuttle discloses the first passage is selected from the group consisting of a manned checkpoint, a gate, a door, and a barrier (col. 16, lines 27-37).

**Regarding claim 18:** Tuttle discloses a second passage controlled by the computer (col. 17, lines 37-41).

**Regarding claim 19:** Tuttle discloses signaling whether the passenger has automatically checked in (col. 16, lines 27-37, and col. 17, lines 37-41).

**Regarding claim 20:** Tuttle discloses signaling is selected from the group consisting of a sound, a light, a message board, a printer, and a gate (col. 17, lines 37-41).

**Regarding claim 21:** All the claimed subject matter is already discussed in respect to claims 10 and 14 above.

**Regarding claim 22:** Tuttle discloses the passage is selected from the group consisting of a manned checkpoint, a gate, a door, and a barrier (col. 16, lines 27-37).

**Regarding claim 23:** Refer to claim 20 above.

***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Muhme [U.S. Pat. 5,886,634] discloses an item removal system and method.
- b. Kawamata [U.S. Pat. 6,338,041] discloses a passenger management system.
- c. Pugliese, III [U.S. Pat. 6,044,353] discloses a baggage check-in and security system and method.
- d. Tuttle [U.S. Pat. 5,914,671] discloses a system and method for locating individual and equipment, airline reservation system, communication system.
- e. Mekata [U.S. Pat. 4,984,156] discloses an automatic check in apparatus.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung Nguyen whose telephone number is (703)308-6252. The examiner can normally be reached on Monday to Friday from 8:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu, can be reached on (703) 308-6730. The fax number for this Group is (703) 872-9314.

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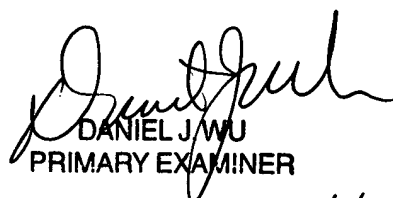
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Examiner: Phung Nguyen

Date: June 20, 2003

  
DANIEL J. WU  
PRIMARY EXAMINER  
6/26/03